

FEE TRANSMITTAL for FY 2006

Effective 10/01/03. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **130.00**

<i>Complete if Known</i>	
Patent Number	7,052,594
Filing Date	January 31, 2002
First Named Inventor	Ronald E. PELRINE
Examiner Name	Donald R. VALENTINE
Group Art Unit	1742
Attorney Docket No.	8500-0267

METHOD OF PAYMENT *(check all that apply)*

Check
 Credit card
 Money Order
 Other
 None

Deposit Account:

Deposit Account No.	18-0580
Deposit Account Name	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

The Commissioner is authorized to: *(check all that apply)*

Charge fee(s) indicated below
 Charge any underpayment or credit any overpayments

Charge any additional fee(s) during the pendency of this application

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING, SEARCH AND EXAMINATION FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee (filed on or before 12/8/04)	
1011	300	2011	150	Utility filing fee (filed after 12/8/04)	
1111	500	2111	250	Search Fee	
1311	200	2311	100	Examination Fee	
1081	250	2081	125	For each additional 50 sheets exceeding 100	
SUBTOTAL (1)					\$

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		- 20** =		x		=	
Independent Claims		- 3** =		x		=	
Multiple Dependent Claims						=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	50	2202	25	Claim in excess of 20	
1201	200	2201	100	Independent claims in excess of 3	
1203	360	2203	180	Multiple dependent claim, if not paid	
1204	200	2204	100	** Reissue independent claims over original patent	
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$

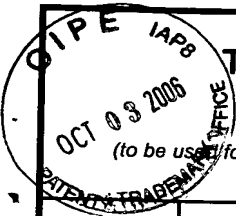
**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1814	130	2814	65.00	Statutory Disclaimer	
Other fee (specify) <u>Processing Fee for Petition Under 37 CFR § 1.324(a)</u>					130.00
*Reduced by Basic Filing Fee Paid					SUBTOTAL (3)
					\$130.00

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Flavio M. Rose	Registration No. (Attorney/Agent)	40,791	Telephone	(650) 251-7700
Signature		Date	September 29, 2006		



DAE

TRANSMITTAL FORM

Patent Number	7,052,594
Filing Date	January 31, 2002
First Named Inventor	Ronald E. PELRINE
Art Unit	1742
Examiner Name	Donald R. VALENTINE
Attorney Docket Number	8500-0267

Mail Stop **Petition**

ENCLOSURES (Check all that apply)

- | | | |
|---|---|--|
| <input type="checkbox"/> No fee due
<input checked="" type="checkbox"/> Fee(s) due: <u>\$130.00</u>
Fee Transmittal
<input checked="" type="checkbox"/> Check enclosed
<input type="checkbox"/> Charge Deposit Account No. 18-0580
<input type="checkbox"/> 37 CFR § 1.16
<input type="checkbox"/> 37 CFR § 1.17
<input checked="" type="checkbox"/> The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 18-0580
<input checked="" type="checkbox"/> Return postcard
<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavits/declaration(s) -
<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> -Month Extension of Time
<input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Petition to Correct Inventorship in Patent Under 37 CFR 1.324(A)
<input checked="" type="checkbox"/> Statement of Non-Deceptive Intent by Person Being Added by Petition to Change Inventorship in Patent (executed by John S. Bashkin)
<input checked="" type="checkbox"/> Statement of Non-Disagreement by Currently Named Inventors to Add John S. Bashkin as a Joint Inventor in Patent, executed by Ronald E. Pelrine and Roy D. Kornbluh
<input checked="" type="checkbox"/> Statement of Agreement by Assignee to Change Inventorship in Patent & Certification 3.73(b)
<input checked="" type="checkbox"/> Assignment from currently named inventors to SRI International
<input checked="" type="checkbox"/> Assignment from Inventor John S. Bashkin to SRI International
<input checked="" type="checkbox"/> Declaration executed by all inventors | <input type="checkbox"/> Information Disclosure Statement & PTO-Form 1449
<input type="checkbox"/> Copies of cited reference(s)
<input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input type="checkbox"/> Declaration(s) by Inventor(s)
<input type="checkbox"/> Preliminary Amendment
<input type="checkbox"/> Updated Application Data Sheet
<input type="checkbox"/> Drawing(s) - __ Sheets
<input type="checkbox"/> Compact Disk(s) - __ CD(s)
<input type="checkbox"/> Power of Attorney & Address Indication Form
<input type="checkbox"/> Revocation of & New Power of Attorney, Address Indication Form
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> After Allowance Communication to a Technology Center (TC)
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Other Enclosure(s): |
|---|---|--|

REMARKS

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name (print/type)	Flavio M. Rose, Reg. No. 40,791	Telephone	(650) 251-7700
	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.		
Signature		Date	September 29, 2006

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below

Name (print/type)	Katherine Stofer		
Signature		Date	September 29, 2006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent of:
Ronald E. PELRINE et al.

Patent No.: 7,052,594

Filing Date: January 31, 2002

Title: DEVICES AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION

PETITION TO CORRECT INVENTORSHIP IN PATENT
UNDER 37 CFR § 1.324(A)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a petition to correct the inventorship of the subject patent so as to add John S. Bashkin as a named joint inventor of the subject patent. The currently named inventors are Ronald E. Pelrine and Roy D. Kornbluh.

Pursuant to 37 CFR § 1.324(b), enclosed are the following documents in support of this petition:

1. Statement of Non-Deceptive Intent By Person Being Added By Petition to Change Inventorship in Patent, executed by John S. Bashkin;
2. Statement of Non-Disagreement By Currently Named Inventors to Add John S. Bashkin as a Joint Inventor in Patent, executed by Ronald E. Pelrine and Roy D. Kornbluh;
3. Statement of Agreement by Assignee to Change Inventorship in Patent and Certification Under 37 CFR § 3.73(b);
4. Assignment from currently named inventors to SRI International;
5. Assignment from Inventor John S. Bashkin to SRI International;
6. Declaration signed by all inventors;
7. A check for \$130 to cover the fee set forth in 37 CFR § 1.20(b) required for filing

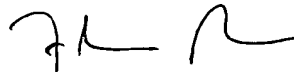
this petition.

Thus, by way of this petition, favorable consideration to add John S. Bashkin as a joint inventor in the subject patent is respectfully solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-0580.

Respectfully submitted.

By:



Flavio M. Rose, Reg. No. 40,791
c/o MINTZ LEVIN
1400 Page Mill Road
Palo Alto, CA 94304-1124
Phone (650) 251-7700
Fax (650) 251-7739
Customer No. 23980

September 28, 2006

TRA 2195280v.1



Atty Dkt No. 8500-0267
SRI No. US-4598-2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent of:
Ronald E. PELRINE et al.

Patent No.: 7,052,594

Filing Date: January 31, 2002

Title: DEVICE AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION

**STATEMENT OF NON-DECEPTIVE INTENT BY THE PERSON
BEING ADDED BY PETITION TO CHANGE INVENTORSHIP IN PATENT
UNDER 37 C.F.R. § 1.324(A)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, John S. Bashkin, hereby declare as follows:

1. That I am a co-inventor of U.S. Patent No. 7,052,594, filed on January 31, 2002, along with Ronald E. Pelrine and Roy D. Kornbluh.

2. That it has now become apparent that the inventorship of the above referenced patent application was originally incorrectly identified as being Ronald E. Pelrine and Roy D. Kornbluh, and that such identification was done without any deceptive intention on my part.

The undersigned further declares that all statements made herein of his own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-referenced patent.

Respectfully submitted,

By: *J. S. Bashkin*

Name: John S. Bahskin

Date: 9/18/06



Atty Dkt No. 8500-0267
SRI No: US-4598-2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent of:
Ronald E. PELRINE et al.

Patent No.: 7,052,594

Filing Date: January 31, 2002

Title: DEVICE AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION

**STATEMENT OF NON-DISAGREEMENT BY CURRENTLY NAMED INVENTORS
TO ADD JOHN S. BASHKIN AS A JOINT INVENTOR IN PATENT**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We, Ronald E. Pelrine and Roy D. Kornbluh, the currently named inventors of the subject patent, are in non-disagreement to add John S. Bashkin as a joint inventor in the subject patent. Accordingly, by Petition to Correct Inventorship in Patent Under 37 CFR § 1.324(a) submitted concurrently herewith, please add John S. Bashkin as a joint inventor in the subject patent.

Respectfully submitted,

Date: 9/11/06

By: Ronald E. Pelrine
Ronald E. Pelrine
First Joint Inventor

Date: 18 Sep 06

By: R. D. Kornbluh
Roy D. Kornbluh
Second Joint Inventor



Atty Dkt No. 8500-0267
SRI No. US-4598-2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent of:
Ronald E. PELRINE et al.

Patent No.: 7,052,594

Filing Date: January 31, 2002

Title: DEVICE AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION

**STATEMENT OF AGREEMENT BY ASSIGNEE TO CHANGE INVENTORSHIP IN
PATENT AND CERTIFICATION UNDER 37 CFR § 3.73(B)**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SRI International, the assignee of the subject patent, is in full agreement with the currently named inventors, Ronald E. Pelrine and Roy D. Kornbluh, to add John S. Bashkin as a joint inventor in the subject patent. Accordingly, by Petition to Correct Inventorship in Patent under 37 CFR § 1.324(a) submitted concurrently herewith, please add John S. Bashkin as a joint inventor in the subject patent.

SRI International, a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 333 Ravenswood Avenue, Menlo Park, CA 94025, certifies that it is the assignee of the entire right, title and interest in the U.S. patent identified above by virtue of an Assignment from each of the inventors of the U.S. patent identified above. The Assignments were recorded in the Patent and Trademark Office on April 22, 2002 at Reel 012613, Frame 0477, and on May 17, 2004 at Reel 014640, Frame 0148. Copies of the Assignments are attached.

The undersigned has reviewed the Assignments of the U.S. patent identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

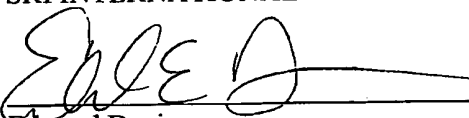
The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are true; and further that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under 18 USC § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

SRI INTERNATIONAL

Date: 9/27/06

By: 
Edward Davis
Assistant Secretary

SRI International
333 Ravenswood Avenue
Menlo Park, CA 94025

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Ronald E. Pelrine and Roy D. Kornbluh (hereinafter referred to as the assignors), residing at Boulder, Colorado and Palo Alto, California respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in **DEVICES AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION** set forth in an application for Letters Patent of the United States, bearing Serial No. 10/066,407, filed on January 31, 2002; and

WHEREAS, SRI International, a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 333 Ravenswood Avenue, Menlo Park, California 94025 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said invention and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters

Patent for said invention, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said invention and the Letters Patent to be issued thereon for the sole use and behoof of said assignee, its successors, legal representatives and assigns.

Date 7/15/02 Name of Inventor Ronald E. Pelrine
Ronald E. Pelrine

Date _____ Name of Inventor _____
Roy D. Kornbluh

ASSIGNMENT

JOINT

THIS ASSIGNMENT, by Ronald E. Pelrine and Roy D. Kornbluh (hereinafter referred to as the assignors), residing at Boulder, Colorado and Palo Alto, California respectively, witnesseth:

WHEREAS, the said assignors have invented certain new and useful improvements in **DEVICES AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION** set forth in an application for Letters Patent of the United States, bearing Serial No. 10/066,407, filed on January 31, 2002; and

WHEREAS, SRI International, a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 333 Ravenswood Avenue, Menlo Park, California 94025 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, said assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

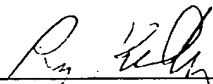
AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title and interest in and to said invention and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignors hereby covenant and agree to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters

Patent for said invention, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignors hereby request the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said invention and the Letters Patent to be issued thereon for the sole use and behoof of said assignee, its successors, legal representatives and assigns.

Date _____ Name of Inventor _____
Ronald E. Pelrine

Date 29 Mar 02 Name of Inventor 
Roy D. Kombluh

ASSIGNMENT

THIS ASSIGNMENT, by John S. Bashkin (hereinafter referred to as the assignors), residing at 43623 Tonica Road, Fremont, CA 94539, witnesseth:

WHEREAS, the said assignor has invented certain new and useful improvements in **DEVICES AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION** set forth in an application for Letters Patent of the United States, bearing Serial No. 10/066,407, filed on January 31, 2002; and

WHEREAS, SRI International, a corporation duly organized under and pursuant to the laws of California, and having its principal place of business at 333 Ravenswood Avenue, Menlo Park, California 94025 (hereinafter referred to as the assignee) is desirous of acquiring the entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient considerations, the receipt of which is hereby acknowledged, said assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto the assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned invention, application for Letters Patent, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and in and to any and all divisions, continuations, and continuations-in-part of said application, or reissues or extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by said assignee, for its own use and behoof and the use and behoof of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent or Patents may be granted, as fully and entirely as the same would have been held and enjoyed by the assignors, had this sale and assignment not been made.

AND for the same consideration, said assignor hereby covenants and agrees to and with said assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, said assignors are the sole and lawful owners of the entire right, title

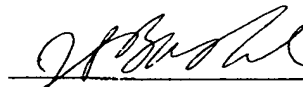
Atty Dkt No. 8500-0267
SRI No. P-4598

and interest in and to said invention and the application for Letters Patent above-mentioned, and that the same are unencumbered and that said assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, said assignor hereby covenants and agrees to and with said assignee, its successors, legal representatives and assigns, that said assignors will, whenever counsel of said assignee, or the counsel of its successors, legal representatives and assigns, shall advise that any proceeding in connection with said invention, or said application for Letters Patent, or any proceeding in connection with Letters Patent for said invention in any country, including interference proceedings, is lawful and desirable, or that any division, continuation or continuation-in-part of any application for Letters Patent or any reissue or extension of any Letters Patent, to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of Letters Patent for said invention, without charge to said assignee, its successors, legal representatives and assigns, but at the cost and expense of said assignee, its successors, legal representatives and assigns.

AND said assignor hereby requests the Commissioner of Patents to issue said Letters Patent of the United States to said assignee as the assignee of said invention and the Letters Patent to be issued thereon for the sole use and behoof of said assignee, its successors, legal representatives and assigns.

Date: 5/14/04



John S. Bashkin

f:\document\8500\0267\assignment-added inventor.doc



**DECLARATION OF INVENTORSHIP
FOR UTILITY PATENT APPLICATION**

AS A BELOW-NAMED INVENTOR, I HEREBY DECLARE THAT:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICES AND METHODS FOR CONTROLLING FLUID FLOW USING ELASTIC SHEET DEFLECTION**, the specification of which

herewith

was filed on January 31, 2002, and assigned Serial No. 10/066,407.

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE.

I acknowledge and understand that I am an individual who has a duty to disclose information which is material to the patentability of the claims of this application in accordance with Title 37, Code of Federal Regulations §§ 1.56(a) and (b) which state:

"(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability."

I do not know and do not believe this invention was any of the following: known or used in the United States of America before my or our invention thereof; patented or described in any printed publication in any country before my or our invention thereof; patented or described in any printed publication in any country more than one year prior to said application; in public use or on sale in the United States of America more than one year prior to this application; or the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America from an application filed by me or my legal representatives or assigns more than one year prior to this application.

I hereby claim priority benefits under Title 35, United States Code § 119(a) of any foreign filed application(s) for patent as indicated below.

Application No.	Date of Filing (day/month/year)	Priority Claimed
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim priority benefits under Title 35, United States Code § 119(e)(1) of any United States provisional application(s) for patent as indicated below.

Application No.	Date of Filing (day/month/year)	Priority Claimed
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

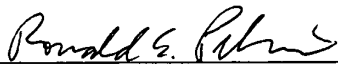
I hereby claim benefit under Title 35, United States Code § 120 of any United States Patent application(s) listed below.

Application No.	Date of Filing (day/month/year)	Priority Claimed
		<input type="checkbox"/> Yes <input type="checkbox"/> No
		<input type="checkbox"/> Yes <input type="checkbox"/> No

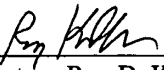
Insofar as the subject matter of each of the claims of this application are not disclosed in the prior United States Patent application(s) in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

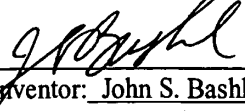
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